

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Criminal Action No.: 18-cr-00477-PAB  
Courtroom Deputy: Sabrina Grimm

Date: November 29, 2018  
Court Reporter: Janet Coppock

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Parties:

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN GUTIERREZ,

Defendant.

Counsel:

Peter McNeilly  
Justin DeRosa

Laura Suelau  
Jacob Rasch-Chabot

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**COURTROOM MINUTES**

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**MOTION HEARING**

**1:36 p.m. Court in session.**

Appearances of counsel.

Also present and seated at Government's counsel table, Agent Dave Gallegos.

Defendant present in custody.

**ORDERED: Witnesses shall be sequestered.**

Government's witness, Rick Cisneros, sworn.

1:38 p.m. Direct examination of Mr. Cisneros by Mr. McNeilly.

1:47 p.m. Cross examination of Mr. Cisneros by Ms. Suelau.

Witness excused.

Government's witness, Officer Thomas Eckstadt, sworn.

1:52 p.m. Direct examination of Officer Eckstadt by Mr. McNeilly.

**Government's Exhibits 2 (as modified) and 1 are admitted.**

2:12 p.m. Cross examination of Officer Eckstadt by Ms. Suelau.

Witness excused.

Government rests.

Defendant's witness, Mario Cruz, sworn.

2:28 p.m. Direct examination of Mr. Cruz by Ms. Suelau.

**Defendant's Exhibits A, B, C, and D are admitted.**

2:41 p.m. Cross examination of Mr. Cruz by Mr. DeRosa.

2:51 p.m. Redirect examination of Mr. Cruz by Ms. Suelau.

Witness excused.

Defendant's witness, Pamela Cruz, sworn.

2:53 p.m. Direct examination of Ms. Cruz by Ms. Suelau.

3:01 p.m. Cross examination of Ms. Cruz by Mr. DeRosa.

Witness excused.

Defense rests.

**3:06 p.m. Court in recess.**

**3:21 p.m. Court in session.**

Argument by Mr. Rasch-Chabot and Mr. McNeilly.

Court states its findings of fact.

**ORDERED: Defendant's Motion to Suppress Evidence [18] is GRANTED, for reasons stated on record.**

**ORDERED: Defendant is remanded to the custody of the U. S. Marshal.**

**5:06 p.m. Court in recess.**

Hearing concluded.

Total in-court time: 3:15

Clerk's Note: Exhibits were returned to counsel at the end of the hearing.